

A D V I C E

TO

BOOKSELLERS, PERFUMERS, &c.

NOT TO

Sell any more Stamps with their Medicines,
(Patent ones excepted;)

NOR THE

PUBLIC TO PAY FOR THEM;

CONSTITUTIONAL PRINCIPLES

WITH

STRICTURES

ON THE

MEDICINE ACT;

RESPECTFULLY SUBMITTED TO

HIS MOST GRACIOUS MAJESTY,

AND BOTH

HOUSES OF PARLIAMENT.

By F^r. SPILSBURY, Chymist,
Soho Square.

NATIONAL LIBRARY OF MEDICINE

Bethesda, Maryland

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F O U N D E D O N

CONSTITUTIONAL PRINCIPLES,

W I T H

S T R I C T U R E S

O N T H E

M E D I C I N E A C T;

R E S P E C T F U L L Y S U B M I T T E D T O

HIS MOST GRACIOUS MAJESTY,

A N D B O T H

H O U S E S O F P A R L I A M E N T,

By F^{rs}. SPILSBURY, Chymist,
Soho Square.

L O N D O N.

Sold by G. WILKIE, St. Paul's Church Yard;
and other Booksellers.

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A D V I C E

TO THE

BOOKSELLERS, PERFUMERS, &c.

RELATIVE TO THE

M E D I C I N E T A X.

GENTLEMEN,

AS the time will soon commence for you to renew your annual license for the dispensing of medicines, it is necessary to take a critical review of the medicine act as it now stands, and the mode of enforcing it by the commissioners of the stamps, and we may hope if the act of parliament is found defective, partial, oppressive, or abused by any party, the legislature will remedy the evil you hint at, with that readiness and attention which characterises a British parliament.

In pursuing our enquiries relative to the medicine act, I scruple not to declare that you have

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more reason to blame yourselves for any temporary sufferings and inconveniences you experience, by your timid compliance to a hasty misconstruction of the act,—than those persons to whom the power of enforcing the act of parliament was delegated.

The medicine act is an act of parliament for laying a duty on *patent medicines*; vended throughout Great Britain; and these patent medicines only are the chief object of this act of parliament. This position we will consider with attention, because it is an opinion I imbibed on my first reading of the act, and in several publications addressed to you in the news papers before the commencement of the act, strenuously maintained the assertion, encouraged by this maxim, that every new act of parliament of Great Britain has for its basis to act on prudential necessity, dictated by reason and guided by justice

You may remember last year 1783, at the latter end of the sessions, when the minister was obliged by his station in government to open his budget for raising supplies to support the credit of the nation, he had but recently received a flattering proposal, whereby a large sum of money might be obtained by taxing certain medicines, distinguished by the appellation of quack medicines; and observed, *That as these medicines had done much harm to the community it was fair game to tax them.* At the same time Lord John Cavendish declared he did not understand the nature of such a proposition, whereby to form proper distinguishments of medicinal articles, or how to frame an act to enforce the duty. The thought and the proposal met with a laughable reception in the House of Commons; and as no infringement of the liberties of the people, or the press, was understood, the London news papers teemed with sarcasm which the wits of
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the age thought fit to display on the supposed reformation or persecution of the order of quacks.

Persons who supposed themselves the objects aimed at by the medicine act, were much biased by the construction the London printers and general report had given to the act, so that neither those persons of the regular faculty, or the venders of medicines, gave themselves the trouble to read and consider the act of parliament, as printed, with that attention the necessity of the occasion merited. Hence the strange confusion, misconstruction, and repeated murmurs arose, not to say even violation of the act of parliament. GENTLEMEN, explore the medicine act of parliament, the only criterion you have to go by. Divest yourselves of those prejudiced ideas relative to the act, not presuming to know more the intention of the act, than the said act, by express words, does exact of each party to conform thereunto; and you will find this act of parliament so much complained of for its ambiguity, is clearly expressed, and the purport thereof, is to lay an impost on patent medicines.

That patent medicines should of all other medicines be first noticed by government, is a circumstance remarkable, and in some measure deserves the stigma. Which of you in the secret, does not know in what manner, and how easily a patent is obtained for a medicine even the most frivolous one? Pay but the fees and the ceremony is soon got over; then the news papers trumpet forth the approach of the new-fangled mendicant for public favor, adorned with its gilded title. The people, strangers to the ways of courtly forms, read by his *Majesty's* ROYAL *Letters* PATENT, and form a conclusion which answers the schemer's end; but by no means proves the goodness,

ness, or the superiority of the nostrum. It is no wonder then, this bubble has proved a stumbling block to the minister, (if he meant to reap any great harvest from patent medicines) as this circumstance had often deceived the just expectation of the afflicted invalid.*

To resume our argument, to prove this medicine act, is chiefly confined to the vending of patent medicines, read the exceptions in the act. By this touchstone we are tried, cleared, or condemned to compliance. Inspect the following abstract from the act, which may enable you to form your judgement.

An act for granting to his Majesty a stamp duty on licences to be taken out by certain persons uttering or vending medicines; and certain stamp-duties on all medicines sold under such licences, or under the authority of his Majesty's Letters Patent.

And be it enacted, That from and after the first day of September, one thousand seven hundred and eighty-three, there shall be charged, levied, and paid unto and for the use of his Majesty, his heirs and successors, the several rates and duties following; that is to say, all persons (except such as have served a regular apprenticeship to any surgeon, apothecary, druggist, or chymist, or such as shall have kept a shop for the space of three years before the passing of this act, for the vending of drugs or medicines only, not being drugs or medicines sold by virtue of his Majesty's letters patent) uttering or vending medicines in Great Britain, shall annually take out a licence for that purpose, in manner herein after prescribed:

And

* Patents for any invention in the artists tract, have a fair substantial ground to purchase this mark of royal favor; but in science, particularly in the physical line, there is too much evasion of the general agreement between the parties. Nor
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And where the persons so uttering or vending drugs or medicines, shall reside within the cities of London and Westminster, or within the distance of the penny post, on every such licence there shall be charged a stamp duty of twenty shillings :

And where the persons uttering or vending drugs or medicines shall reside in any other part of Great Britain, there shall be charged on every such licence a stamp-duty of five shillings.

Upon every box, packet, bottle, or phial, or other inclosure, of any medicine under the price or value of two shillings and sixpence, which shall be uttered, vended, or sold, by any person or persons taking out such licences, or by any person or persons under the authority of his Majesty's letters patent, there shall be charged a stamp duty of three-pence :

Upon every box, packet, bottle or phial, or other inclosure, of any medicine of the price or value of two shillings and sixpence, and under the price or value of five shillings, which shall be uttered, vended, or sold by any person or persons taking out such licences, or by any person or persons under the authority of his Majesty's letters patent, there shall be charged a stamp duty of sixpence.

Upon every box, packet, bottle, or phial, or other inclosure, of any medicine of the price or value of five shillings and upwards, which shall be uttered, vended, or sold, by persons taking out such licences, or by any persons under the authority of his Majesty's letters patent, there shall be charged a stamp-duty of one shilling.

And

can it be reconciled, that any person would give in the true prescription into the roll's office, when any person may peruse it for half a crown and adopt the same medicine under his own name ; and it is no unusual mode with the proprietor or proprietors, to obtain a patent for a new named medicine, before any general specific conclusion can be formed by experience.

And be it further enacted, That nothing herein contained shall extend to any person or persons vending any drugs or medicines, who shall have served as a Surgeon in the navy or army, under any commission or appointment, where the same shall have been duly entered at the war office or navy office.

You may perceive, Gentlemen, by the exception parliament has made in favor of surgeons, apothecaries, druggists, &c. regular bred, or of three years standing, are excused the penalties of the act, but it is conditional, that they have vended drugs or medicines *only*, not being drugs or medicines sold by virtue of his Majesty's letters patent. Here is a clear distinguishing line drawn, what medicines parliament meant to tax, viz. medicines by letters patent; therefore no person by this act (except army and navy surgeons) may sell any patent medicine duty free, or pleads an exemption from the licence, consequently the stamps, on his being regular bred, or keeping a shop for three years. His prevalent plea for excuse must be by this act founded on this principle, that he has not *vended* a patent *medicine*. As a proof, I will enter into the mode of enforcing the act, and the general ideas that arose on the occasion, with the different interpretations construed by the several persons interested in the receipt of the revenue.

That the exception in the act relative to the regulars was such an exception, that very few of them, comparatively speaking, could plead as a substantial argument for remission, as they were conscious of having sold a patent medicine which involved them in the general group of the offenders of this medicine act, was a point universally *allowed*. Therefore, every chymist, apothecary, druggist, &c. who had vended a patent medicine, was by this act condemned to take out a licence, and sell no medicine or drugs but with a stamp ;
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this would include all their shop medicines, even those made up by the physicians prescription on emergent cases. Such was the opinion of the late attorney general, Counsellor Wallace; such likewise was the opinion of many eminent sages of the law, who were consulted on the occasion by persons in the medical line, that the act was pointed and full relative to the *vending* of patent medicines. What was to be done in this case? Mr. Grenough, an eminent apothecary, and Messrs. Wilsons, wholesale and retail chymists, in London, had purchased letters patent for a medicine each had in their possession unexpired. On application at the office, did the Commissioners insist on their taking out a licence? No; we will excuse you, sirs, the licence, because it involves your whole business under the necessity of using stamps to each article of your trade, but to your patent medicines you must put a stamp. On this ground then, Messrs. Dicey, and Messrs. Wrays, of London, who for many years had been in the chymist and drug line, dealing in general very extensive at home and abroad in medicines, claimed the like indulgence of the exemption of the licence from the Commissioners: No, Gentlemen, you have sold a patent medicine, and therefore the act enjoins you to a licence; besides, those medicines which you sell, such as Daffy's Elixir, Scot's Pills, &c. are the medicines government meant to tax. But in reply to the Commissioners; Sir, if these very medicines to the regulars are allowed to be no more than drugs or medicines only, free of taxation, why then not so to another chymist, &c.? And if you only condemn us by having sold a patent medicine, how in the name of all justice do you, Gentlemen, undertake to frame an excuse for persons not having a licence who has actually a patent medicine

in their possession? Does the act make the difference, or contain such language? In this instance the Commissioners persuaded, and rather insisted on Messrs. Dicey, and Messrs. Wrays, to take out a licence on the sole ground of having sold a patent medicine; and they, owing to the time being elapsed within a day or two of the commencement of the act, and the terror of the law genteelly hinted at, and the various perplexing opinions of the different counsellors, distracted these gentlemen, and they sacrificed their own and friends judgment to the dictates of prudential fears, and sold their articles with a stamp, whilst every petty shopkeeper in the chymist or druggist line of three years standing, sold, and continue to sell, all the same medicinal articles, patent medicines excepted, without licence or stamps. Strange doctrine! It was used as an argument in several private conversations of applying to his Majesty for redress. The reply was, that he could not alter or suspend the act at present: Was it ever known in our memory for his Majesty to wave the operation of an act of parliament, unless emergent reasons of the state demand it? And do the Commissioners modify an act of parliament, and excuse this person or that person? I do allow there was reason in one instance of softening the execution of the act, but had they power to do so? tell me in what part of the act it stands recorded; nor can I find any reason for refusing others equally intitled to the same indulgence by the act, but one reason, and that was on their own side, viz. they were willing the tax should bring in some money to the Treasury, rather than not shew their desire to promote the interest of their employers, or that any negligence should be imputed to them; but why not act in a noble becoming manner suitable to their honourable station, and fairly state

the case to his most gracious Majesty in council, that if the act did require more than the prosecution of patent medicines, they could not enforce it but by oppression or partiality, and a more favourable conclusion would have been announced by authority to the public, and to those persons who were immediately interested therein. I knew an instance not long ago. A complaint was made to his Majesty, or rather hinted to him, such was his gracious attention, that a bill was brought in soon after to redress the grievance.

To proceed. Messrs. Wrays, on due reflection on the impropriety of his selling with stamps, and his neighbours excused by the discretionary indulgence of the Commissioners, discontinued selling medicines with stamps also; and, by his own desire, a friendly action was commenced to try the powers of the act, consequently the powers of the honourable Board of Commissioners, at the same time avoided selling any patent medicine. The suit was carried on, and a day named to try the issue; but, as I have been informed, the Commissioners have withheld the trial. To illustrate another principal point in dispute, which demands your attention, viz, the word *only*, printed in the exception of the act, 12th line, last word, page 1340 of the act of parliament, or page 6 of this tract. This word lay dormant in the former disputes, and was clearly understood to be expressive, and distinguished the different sorts of medicines taxable by this medicine act: for where the act does express and exempt a person who has kept a shop for three years for the vending of drugs or medicines only, the following words do further explain what it doth allude to, viz. not being drugs or medicines sold by virtue of his Majesty's letters patent.

The Commissioners, and their solicitor, insist, the word *only* has a reference to printers, book-

ellers, perfumers, &c. who do not deal in drugs or medicines ONLY, but in other articles, as books, perfumery, &c. Here I differed from their opinion, and stated my reasons, and insist, that, agreeable to the act, and mode of construction of the act, even by the Commissioners, it is not so. Every bookseller, &c. who has kept a shop for three years, and with other articles in their line dealt in drugs or medicines *only*, not being (as the act expresses) drugs or medicines by virtue of his Majesty's letters patent, stand excused by the medicine act. It is a melancholy circumstance when acts of parliament, which should be clearly expressed for our direction, should be so worded as to leave room for doubt, the foundation of law suits. In the present instance we hear the repeated sounds at the Stamp-Office, it means so and so, you are to understand it so and so. Heavens ! is a British act of parliament to be thus twisted at pleasure to force a meaning ? And what to do ? To extort a few pence perhaps from a poor distressed family, distracted by disease, or racked with pain. With what justice this act has been enforced, let us further examine.

The Commissioners plea for making the booksellers subservient to the tax is, not their having sold a patent medicine, that does not signify ; you have not dealt in drugs or medicines only, but books, &c. which renders you liable to the penalties of the act ; therefore you must take out a licence, and sell no medicine of any sort but with a stamp. In reply, Sirs, does the act affect druggists, chymists, &c. although they should not have sold drugs or medicines only, but other articles foreign to the medical line ? O, the act excuses them, and the word only does not signify in that case, and they may continue to sell all the nostrums as usual, duty free, except patent medi-

medicines, as Scot's Pills, Daffy's Elixir, Godfrey's Cordial, and fifty more of the same sort. How absurd the conclusion, to imagine that government should lay a tax on certain medicines, and yet permit every other shopkeeper to vend these identical articles scot free !

Again ; supposing a person, either regular bred, or kept a shop for three years, and is so situated in the country, a very common instance to be met with, that he finds his business too small to maintain himself in the medical apothecary line of dispensing drugs and medicines made up in the dispensatory form, should he on the other side of his shop, whether from matrimonial connection or prudential necessity, vend drapery or stationary wares, is such a person, on application to the Commissioners, to take out a licence and sell his medicines with a stamp ? No ! the act does not mean you, you are excused ; but if you sell a patent medicine, a stamp must go along with it.

Another case : Every druggist, or druggist and grocer, which may be justly included in one title, in the country, they frequently vend a variety of articles that may not strictly come under the nominal title of drugs, yet these are excused by the act and by the Commissioners, and can sell all the shop medicines as usual, patent ones excepted.

However the Commissioners may triumph over the booksellers forlorn state in the country, in forcing them to take a licence out because they have not sold drugs or medicines only, but books, &c. it is a notorious fact, that many printers and booksellers, had they not been conscious of selling a patent medicine, they would not have troubled themselves with the medicine act, but sold medicines as usual with other traders of three years standing ; at the same time, in this instance, if

the only inducement they had to take out a licence was the fear of being sued for having sold a patent medicine, they pay but a poor compliment to his Majesty, to the Legislature, to an English judge or jury, to suppose they would have been found trespassers in the eye of the law before an act of parliament was framed which constituted the vending of patent medicines objects of taxation.

Therefore, should your opinion coincide with mine, that the medicine act does not require you to be singled out, that it contains a language foreign to the partialities by which the law is made to operate against you, that it does entitle you as well as your neighbour to sell drugs or medicines only without a stamp, patent ones always excepted ; give notice to the Commissioners or their agents, that you will not use stamps any longer, and are ready to meet them on a proper ground to decide the matter before an English jury. At all events be cautious how you renew your licence which militates so strongly against yourselves, and to so little purpose relative to the support of the credit of the nation. Vend no patent medicines even with stamps, return them, nay better return all your medicines to the different proprietors and sell not one, than sell on so disadvantageous, humiliating terms as you do at present ; and the usage you have lately received from the Stamp Office is a matter of so aggravating a nature under your present circumstances that will justify so laudable a proceeding, and let the public know you think yourselves intitled to the paternal care of his most gracious Majesty, and the protection of both houses of parliament, equal with other subjects under the same government ; even aliens claim this right :—indeed, in my poor judgment, the medicine act makes not this decisive difference. Patent medicines are its object ; and these
only,

only, by this act of parliament, should wear the stamp; but judge for yourselves. To proceed : What medicines are taxable *agreeable to the Commissioners construction of the act?*

No indifferent person can well guess at the trouble and vexation occasioned by the different constructions imputed to this act, whether by the vender of medicines, or the Commissioners, whom, I believe, only a zeal to serve Government has made them construe and enforce the act in such a manner which they cannot reconcile to reason or justice; and I will add, and others have in general, met with polite behaviour from them; and when I argue a public cause, and have occasion to speak of the Commissioners, I only speak of them in their official character, divested of every personal reflection.

That the trouble given to the Commissioners relative to the inquiries what medicines were taxable was trifling to what such a question involved the trader, who supposed himself amenable to the tax. The fears of penalties operating on one hand, and on the other desirous of acquitting himself as a good subject, conforming to such laws as the legislature had thought proper to exact for his and the public benefit, has induced many persons to apply, with a list of their articles they sold, for information to the Commissioners to know what they called medicines, and came under the cognizance of the medicine act.

It is natural to conceive, gentlemen appointed by government, and their solicitor, would act consistent in the interest thereof, and where doubts occurred, to decide in favour of the legislature. Hence many compositions escaped censure, and many articles were at first allowed an exemption from the tax, have been afterwards countermanded
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by the Commissioners on this plea, as *having a medicinal quality*.

Tell me, then, what article that we eat or drink, or use for any good intent, whether to sustain our bodies, or adorn our persons, or refresh them, but what must have a medicinal quality either to preserve health or restore it ; even books have a medicinal quality of amusing and instructing the mind, therefore why not place a stamp on the bread you eat, and the raiment you put on, and even soap, when it is made up in that delicate manner the arts of perfumery have arrived to, for this also has a medicinal quality of purification. An oily ointment, &c. for outward application for sprains was first judged to be excused, but soon after it was advertised, it must be taxed ; and the reason was, it had a medicinal healing quality. How comes it to pass then that milk of roses, and many other articles of the same species, are exempt ? Could you not as well, as Pierre hints in *Venice Preserved*, stretch the tax to all the articles found in a bookseller's or a perfumer's shop, even medicines for horses and other cattle, &c. &c. and if such taxes, instituted on so vague a construction, are to be enforced by the caprice or discretionary judgment of a few men, where will the limits be fixed to such an act of parliament ? or what is there in the perfumery or medical line, either as a cosmetic, a wash, a restorative, that may not be encompassed with a stamp duty ? And each trader, on this distracted mode of proceeding, has reason to dread a prosecution every hour for having sold some article of goods with a medicinal quality without a stamp ; it is a language hitherto unknown to the British constitution, and no act of parliament can be found, I trust, breathing such inimical principles to the peace of mankind.

Say

Say not, my friends, Lord John Cavendish, or the medicine act has done this ; it is yourselves have joined to weave the cord you are bound with. Consider your situation. Is there scarce a single article you vend, patent medicines excepted, but may be bought at your neighbour's in equal goodness, even at a grocer's, and I may add at a shop scarcely a degree better than a chandler's shop, duty free ? Where then is the person to be found so complaisant to government, so unjust to themselves, as to give 3d. 6d. or 1s. for a useless piece of paper ? And how doth it appear to the public, that the proprietors of medicines in London, except a few, pay any tax ? The exemption is allowed not only by the act, but by all parties ; yet if their medicine passes through a bookseller's hand, a duty must be paid, on account by the Commissioners construction of the act, you have not dealt in drugs and medicines only, but books, and Heaven knows what other articles in the way of trade,—but the druggist is free.

In the course of conversation concerning patent medicines, a question arose, how many patent medicines are there in being, whose time, fourteen years, is not expired ? Only five could be ascertained, viz. James's Analeptic Pills, Greenhough's Samaritan Water, Wilson's Ague Tincture, Gale's Spaw Elixir, and Grub's Friar's Drops : two more, I have heard, have been lately added, Oriental Vegetable Cordial, and the Antipertusis for colds and coughs.

I have a question to ask of the printers and booksellers resident in the country : In what manner have you given offence to the Commissioners to receive such marks of resentment, so contrary to the usage of government, and of which you so bitterly complain of in your letters and discourse ?

I will

I will state the matter to the reader, the world may judge the rest, as it is this circumstance “ of making bricks without straw ” which has given rise to this publication.

The construction of the medicine act by the Commissioners, hard as it bore on the country printers and booksellers, from whom, in the printing of news-papers and advertisements, government receives many thousand pounds duty annually, they had the mortification of seeing their trade torn from them daily by an accidental act of parliament, or a misunderstanding of the act; they were not left without hopes parliament never meant to single them out as objects of taxation, and would, when parliament met, give such relief as the members there should judge necessary. The Commissioners, to prevent unnecessary trouble, and to palliate matters, had sent and given orders to certain agents in the country to distribute out the stamps occasionally, as the consumer, or the proprietor of a medicine, had opportunity of disposing of them: for these medicine stamps no discount is made at the office by taking a quantity, as is done in the receipt tax. About February last, the booksellers, &c. were exceedingly alarmed at an order from the Commissioners to their distributors in the country not to serve them any longer, but make each of them have their stamps from London. On receiving letters of complaint from several booksellers, I waited on the Commissioners, who declared, in compliance with a few proprietors concerned in patent medicines in London, they had given such orders. Much conversation ensued; they urged, it was not their desire to add to the vexation already experienced by the act, or create unnecessary trouble or expence to the vendors in the country, and, as I understood, they would

would countermand it. May 2, 1784, on receiving a letter from Mr. C. Wheeler, printer, of Manchester, complaining of the hardship that the Commissioners should expect a tax from him, yet throw obstacles in the way to prevent its taking place, and desiring me to procure him for the present four dozen three-penny stamps, two dozen six-penny ones, and only six of the shilling ones, I went to the office for the stamps, and was informed six only shilling stamps could not be had; no, I must take a whole sheet, consisting of nine stamps, for they did not chuse to divide a sheet. I insisted on having the exact number ordered in the letter, and went down stairs to inform the Commissioner they would not let me have the six stamps only: he wrote an order directly for my being served with the six stamps, which was accordingly executed; at the same time the person in office declared they never had sold so small a number at one time, or cut a sheet before.

What are the Commissioners motives for a difference of opinion relative to the distribution of the stamps in the country, and to oblige every bookseller, printer, &c. to send to London to their agents to procure stamps, I cannot conceive, unless it is to throw every impediment in the booksellers line to hinder them from vending of medicines. The thirty shillings worth of stamps for Mr. Wheeler were sent per coach, and cost him 3s. 6d. carriage and postage. Now, suppose in future that printers are obliged to employ an agent in London to buy the stamps, he must be paid commission, and the carriage added thereto, in some parts two or three hundred miles, can a vender in this case afford a three-penny stamp under 4d. a six-penny one 8d. and a 1s. one in proportion? And may not the sick and infirm procure

all these medicinal articles at a shop, which is encouraged by this step, where no duty is paid? Again, if it is not convenient on these terms for the printers, &c. in the country to sell medicines, the proprietor of these articles, whether he lives in the country or London, will of course open an account with the druggists in the country towns, who are empowered to sell without licence or a stamp, which in the end must frustrate the intention of the act, if it was meant to raise supplies for Government.

Is it the Commissioners wish to see the London Stamp Office reduced to the appearance of a little trading shop? One person coming for six, another for three stamps, or a hundred, and some perhaps for one stamp, and then assume the important look of consequence, we can't make you a shilling's worth, you must have so many, we cannot sell less. To think that a person at Manchester should be obliged, by order of the Commissioners, to send up to town for his stamps, and then, if a Commissioner had not been in the way, he could not have his order executed; and, what is infinitely worse, health may be trifled with. How do we know who might have wanted a medicine, (in the six days time taken up to convey the message and the stamps back) or how near death the party might be even with a fever, and the vender durst not deliver the medicine wanted without a stamp? Had Mr. Wheeler been refused the six stamps at the office, or even one, that moment he would have been liberated from his bondage, and he then had a right indisputable to sell his medicines without a stamp, rather than any person's life should be endangered by further delay; — the distribution of these medicine stamps, with propriety, never can be placed on a similar footing with

with other stamps, because health is so infinitely more valuable than other accidental external affairs relative to life.

As the writer has endeavoured to delineate a fair representation of the medicine act, and the mode of enforcing it, he has done it with this view, that it may serve as a mirror to all parties concerned, whether the Legislature who ordains the law, the Commissioners who are bound to enforce it, and the vender or consumer who may be the objects of this act in question; should it on enquiry be allowed my remarks are dictated with a candour and a becoming freedom, suitable for a native of Great Britain to express, whose wish tends only to redress abuse, ease the oppressed, and, by holding up a beacon, may serve as a law to guide another minister in this perplexing labyrinth; for, in my conception, it is not an easy matter to frame a medicine act, with proper distinguishments between the regular or the irregular line of physic; and I have seized this opportunity to lay my remarks before the public, because a new parliament, a new minister, stands forth, from whom every relief which reason and justice point out may be expected.

With what propriety medicines should be taxed so heavily, is another pertinent question, and well deserves our consideration.

It is universally acknowledged, that the situation of this country is such as to require heavy additional taxes to support its credit; when the minister tolls the alarm bell for a new tax, generally expresses a wish to lay the intended impost rather on the superfluities than the necessities of life. Had these medicines (now supposed to be the object of taxation) never witnessed the hand of power in exacting a duty, or were used in a luxurious unne-

cessary indulgence, rather than to support life under the affliction of illness, there might be a justifiable reason for a minister being caught with the specious appearance of an artful tale of a person, who perhaps had no other view in commending such a tax but the receiving of a bribe.

When Lord John Cavendish proposed the tax, he might not recollect how heavy these articles were already taxed through all the different stages in which they pass, viz. in the drugs first imported; 2dly, the glass; 3dly, the paper; 4thly, spirits of wine; but chiefly in the duty of half a crown paid to the King on each advertisement inserted in the news-papers, magazines, &c. on their account, which amounts to an enormous sum in the course of a year; and this is a tax which has been often complied with by the inventor of a medicine; and after having paid several hundred pounds for advertising, frequently the medicine, not having sufficient merit to recommend it to the public, has sunk into oblivion. We might also alledge, if magazines were stamped as news-papers are, it would bring in much money to the revenue. These already pay a heavy tax, so great as to render it scarce worth their continuance to the proprietor, who is obliged to advertise it frequently, and the advertisements seldom fall short of 5s. 6s. 7s. nay 10s. a time.

However great the sum may appear to the consumer who buys a medicine, the original proprietor does not get a fourth clear; for not only duty and other necessary expences are deducted, but there must be a discount for commission to the vender in the country, and he is often obliged to allow another discount for conveyance to the afflicted; and what is the medicine tax but a receipt tax in another name? Had any minister proposed a receipt

ceipt tax in proportion to the medicine tax to be levied, I leave the consequence to the reader's imagination. A tax was proposed on play-houses, two or three years ago, and a few murmuring newspapers quelled that motion ; yet here, one of the most heavy unexemplary taxes laid on misery and disease is to be exacted,* by what authority I know not, for it is not so in the bond, as Shylock says. That there are a great number of these medicinal or embellishing articles sold is granted ; but are they not as so many heralds proclaiming the infirmities and decays of human nature ? But say on ; they are pernicious destructive articles, mere delusion to the public, and, as it was said by the proposer of the tax duty, they ought to be taxed on that account. No, from one end of the kingdom to the other it is echoed, ask the question, and the answer will be, No. At a bagnio, where the unhappy fair one

* Mrs. Rogers, an apothecary's widow, in St. Edmund's Bury, has continued to sell one of her husband's preparations, an ointment for the itch, in pots of 1s. 6d. From respectable persons, I have been informed, it may be said to be a specific for that loathsome complaint. On the commencement of the act she got a friend in London to know of the Commissioners, as being an apothecary's widow, and not having sold a patent medicine, whether she was not excused by the act in conversation ? It was allowed she had commenced bookseller, and, as having sold books, she was ordered to take out a licence, and put a three-penny stamp on this pot of ointment for the itch, as having a medicinal quality. I declare frequently some poor wretched beings, with this loathsome distemper apparent on them, which added to their poverty, they were unfortunately shunned like those on whom a pestilential plague had made its appearance. I have directed them to Mrs. Rogers's agent here in London ; yet here was a threepenny tax demanded by the Commissioners, and must be paid by these unhappy distressed creatures before the desired remedy could be had. In such a case, will not humanity whisper even in a King's ear ? Is this for your honour ? His Majesty may truly say, What act of parliament requires this rigour ? Speak ! and my people shall find me more ready to redress than they to complain.

one enters poundage, is a familiar phrase, the advantage is taken of her melancholy situation, and she must comply; but where is the man, the gentleman, the nobleman, the senator, the acting minister of Great Britain, will maintain such language? No, if these advertised medicines, cosmetics, &c. are pernicious and destructive to the community, SUPPRESS THEM.

But to follow other accusations held out as a pretence for taxation, *they* are *delusive*. In answer to the sorry arguments made use of by the inexperienced bye-stander, that medicines of this class are made of indifferent drugs, little better than powder of post; are the public so undiscerning? Does mankind encourage those shopkeepers whom they find have imposed on their civility? It is not so in the general walks of life, why then do you pay so bad a compliment to your derstanding, as to suppose this medicinal line is an exception? You reply, look at the hand-bills, read the news-papers; do not the advertisements tell us to beware of counterfeits, and impostors, whose only design is to pick your pockets and ruin your constitution. What reply can now be made? Here is a fact established; we only heard of the rumour before, but now it is acknowledged by your own fraternity.

I own the charge is specious, that here is some degree of foundation for censure, that inventors of medicines do not all possess the same ingenuity, integrity, or their nostrums are of equal efficacy, stands confessed; but mankind will ever make allowance, and distinguish between a plain advertisement advertising no more than experience may justify, and the Katerfeltonian stile, which deals in wonders on wonders, and is not singular to this class

class of men, but may frequently be observed in other adventurers, as wine merchants, who finding themselves not noticed so much as they imagine for their honesty, is entitled to, take care to add a line at the bottom of their advertisements by way of a friendly hint. N. B. *The above wines are free from the vile practice of adulteration!* And many more samples might be collected of the like Merry-andrew's observations in different tracts of business, which may shew the asserter does understand something of the counterfeit part, yet we shall be puzzled to find out a wine merchant guilty of this vile practice, as a well-disposed brother vintner hints; so I hope as in charity bound, the accusation of mal-practices in medicine is not to be identified.

However, let it be understood I am no advocate for the continuance of these supposed remedies for certain complaints, but from a persuasion they are beneficial to mankind. Should it be proved otherwise, they are destructive to health,* the legislature is the best judge how to act on so important an occasion, and make proper distinctions. As I am not desirous of stifling the insinuation of any accuser, who may be an advocate for this medicine tax, so permit me to indulge imagination on a prospect drawn from substantial evidence, that much good, great improvements are witnessed by these medicines in question, and every benevolent mind must own with great reason a verdict may be given in their favour.

Physic is the hand maid of science, which is not to be chained down by any certain rules; her
vast

* If medicines are taxable on a supposition of doing hurt to the human body, what is to be said to the many obscene indelicate advertisements inserted in some news papers.

vaſt genius ſoars above all the pomp and parade of regular mechanic proceedings, that would endeavour to confine her either to time, place, or perſon. In other arts it is not the mere ſerving of ſeven years to a buſineſs will conſtitute the expert artizan; yet here, in medical ſcience, a boy living with a country apothecary for 3, 4, or 5* years, is dubbed regular bred. I deſpiſe the word regular when it is handled as an argument to prove that no perſon can learn a trade but him that was regular fettered, or be acquainted with a ſcience in his riper years, becauſe his parents, not knowing what fruit the plant would produce, ſent him forth into the world ere his judgement bloſſomed to another different vocation. To train a child in the uſual regular form of proceeding, I allow, is the road moſt likely to ſucceed; but do not confine the genius of man, which, like the butterfly, is a ſtranger to that confinement it experienced as a worm, and was then deſtitute of an expanding power.

If the general obſervations made in life were realized, reſpecting phyſicians and other gentlemen of the faculty, that the power of reſtoring health was inveſted in them, and them only, it would be a bleſſing each of us at times would have reaſon to rejoice in ſuch an appointment; but the abler the phyſician, the more diffident you will find him, who beholds diſeaſe, in various ſhapes, ſtalk along our ſtreets triumphant over the united endeavours of art or ſcience; the juſt reproach of any preſumptuous man, whether dignified with an M. D. or the itinerant powerful quack, who pretends

* There is no regular ſet time for country apothecaries apprentices, the more money given with the boys the ſhorter the time the better for the maſter,

pretends he has nothing more to do, but hold out his nostrum, and even nature will tremble before him. Where is the sensible, the experienced physician or surgeon, who has not viewed those diseases so difficult of cure, entitled the *consumption*, the *cancer*, *madness* by the bite of a *mad dog*, the *evil*, the *leprosy*, and the *gout*, that does not breath a wish for a more potent remedy to be discovered in these cases than hitherto experience has stamped with her seal? And if medicines by being taxed should receive any check in their progress of improvement, where is the encouragement for any one to proceed in his tiresome expensive researches? Or what doth it signify a great reward being held up for the discoverer, when the door which should be open to convey it to public notice from whom the premium is to be gathered, is shut and barred with insurmountable difficulties? You must either allow physical knowledge to center in one set of practitioners, or leave it exclusive to the rest of mankind, like the book of nature, free for discussion :

Many of the medicines now fettered with a stamp-duty, illustrious as they are for their eminence, and possessing superior virtues than what is commonly met with in the dispensatory confined catalogue of medicines will be honoured with the attention of mankind when in distress; they have been discovered by dint of perseverance and an aptitude joined to knowledge in the composer to redress certain complaints, as Dr. Norris's drops and Dr. James's powders for fevers, Glasse's and Henry's magnesia, Daffy's elixir, and many others whose excellence depends chiefly on their being made up with the best drugs, great skill, and care, and have nothing else to support their credit but their merit; and if they were made up of bad materi-

als, or proved destructive to the human constitution, in either case they must fall into disrepute. Allowing that these proscribed medicines, made up by the regular and irregular practitioners does possess a virtue equal to any other medicines of what denomination so ever, is it consistent with the honour of Great Britain to insist on an additional taxation? Does her safety rely on this mode of encreasing the revenue, which indiscriminately falls on a poor labouring man as well as the rich? Supposing then a man of middling circumstance, or a menial servant, for himself or children, has occasion to fly for a remedy to any of these advertised established medicinal articles, let it be a bottle of Daffy's elixir for the stomach and bowels, a bottle of Godfrey's cordial, or Dalby's carminative, Steers's opodeldock, Le Cure's oil for a sprain, a bottle of Dr. Norris's antimonial drops for a fever, and can scarce raise the stipulated sum, trifling as it may seem to those who loll in plenty's lap, yet is a treasure to many individuals whose situation in life may enable them only to make a decent appearance,—would government wish in this case for any of their officers to step forth and say, you shall not try the remedy you conceive may heal you, until you pay the duty levied by their order? What is there not in our reach which human nature would not part with to gain ease when in pain, or preserve life! Does the welfare of Great Britain require this tax on humanity? or is the nation so reduced in a few years to exact a duty from a fellow-creature, because the common accidents incident to human infirmity have stretched him on the rack, and forces him to pay it before the hope of relief is administered? If this is the case, well might Mr. P. say, Britannia was at her last shift when she was reduced to the necessity

necessity of draining the sick and the infirm for a supply. Who would not imagine physic was become a luxury, and those powders for the teeth and other preservatives so conducive to cleanliness was carried to such a height as to require the interposition of the legislature to bridle such strange vitiated passions?

Advocates for the tax may urge, that by the commissioner's construction of the act, individuals may save the three pence duty exacted on a sixpenny bottle of Godfrey's cordial, ditto on a box of Scots or Hooper's pills, or on Daffy's elixir, &c. by applying to a druggist or apothecary, who whether he prepares them himself, or vends for another, stands excused; or they may furnish him with a medicine more suitable to the complaint. Granted; in reply, how many villages throughout Great Britain are so situated, that cannot afford a maintenance to an apothecary or surgeon, and the town where one of this profession does reside, is several miles distant? and how many of these medicines, such as Daffy's Elixir, Turlington's Balsam, Bateman's Drops, Scot's Pills, and several other cheap and efficacious medicines, are made by the regular apothecary or chymist, and left for sale either at a chandler's shop, perhaps an alehouse, or the clerk of the parish, and accounted for only when sold, and these medicines are frequently retailed out again in pennyworths or two pennyworths to the poor labouring people or servants? But every medicine cannot with propriety be divided for sale, any more than a general conclusion can be drawn from the words of this act of parliament; to tax discretionary, every drug or goods in various shapes, and vended in different shops.

How far a vague construction of this act may be extended, in the manner this medicine

act has been made to operate, who can tell? Who would imagine the Sweeds tea or English coffee, composed of herbs used for breakfast in the room of other tea, should be strained to the duty, because the proprietor has informed the afflicted with a weak constitution it is good for consumptive habits? Is it so? It was ordered by the judges and commentators of the act to stand on the left side, as *having* been found guilty of harbouring a medicinal quality. Look to yourselves! who keep a tavern, an oil, or a confectionary shop, see you vend nothing with a medicinal quality, expunge those articles, or woe may attend you. Reader, construe the act either way, it is an unconstitutional one, whether a commissioner grounds his plea for inflicting the penalty on a person for having sold a patent medicine before the act commenced, or that he has not dealt in drugs or medicines *only*; but books, perfumery, &c. &c.

Therefore I repeat my advice to every bookseller, and all persons in a like station respecting the act before mentioned, not to vend any more stamps, with their drugs or medicines they sell, not being patent ones; unless you can find a British act of parliament which makes the distinction, and inflict a penalty which brands you for selling a medicine, and allows a next door neighbour to sell the same nominated medicine unfettered, though guilty of the same misdemeanor in point of consequence to the community: Further, how can any of you be ensured a prosecution may not be commenced against you, for extorting money from distressed objects under the pretence of an act of parliament, which act you acknowledge you do not understand; but you are exempt from the tax.

Another

Another circumstance I have received from respectable authority.

The commissioners in their official capacity wish to enforce a rule that all medicines, drugs, &c. proved to have a medicinal quality, whether it be nominated a preservative, restorative, or cosmetic, embellishers of the ladies persons, or the humble blacking cake for the preservation of a shoe, should, as the undertakers do by a dead body, solder it down, and inclose the medicine, whether packet, box, or bottle, with the stamp pasted or glued thereon; so that the afflicted person shall not have an opportunity to inspect as at present, he is indulged without tearing a threepenny, a sixpenny, or a one shilling stamp, to inspect whether the medicine or other article he buys is complete, and in the usual perfection he is accustomed to; and if not, is returned to the proprietor, — what would be the consequence?

Many of these articles are sent out on condition if not sold, they are returned. Many are the accidents, both by sea and land, where liquids are packed up, one bottle breaking will spoil and stain many others, so as to render them unsightly in the eye, thereby unsaleable; and new wrappers are often obliged to be sent the next conveyance, or have the goods returned. Again, supposing the medicines are in boxes, packets, &c. consisting of powders or pills only, will any person say, the virtues of these medicines are made of drugs, whose virtues will not evaporate, or will remain equally efficacious for a series of time, who can answer the question in the affirmative, and are not these articles inspected into, and changed? When a new trader comes into an old shop, or the sale of those articles has not been called for in the usual expected time of sale, whether a month or year, who would stand to the loss of the stamps,

stamps, which must be torn off if pasted on, and a man's health is trifled with, and a medicine designed to preserve life is put on a footing with a pack of cards? By this means a person might frequently buy an insignificant medicine, and the disease gain ground before another could be procured, or the cause discovered. Government would in this instance truly certify the proverb, *selling powder of post*. In what other light can you compare a medicine, thus embalmed in royal parliamentary state, but to the opening of a stately monument, where the form may be preserved, altho' destitute of an active principle. *If such sentiments

* A remarkable circumstance occurs to my memory which well deserved a tablet to be placed in Westminster Abbey to record the fact. Some gentlemen of the society of Antiquaries being desirous to see the actual state of Edward I's body, who died July 7, 1307, aged 68, on account it had been mentioned in Rymer's *Fœdra*, that writs had been issued from the Treasury, in Edward the III'd. and Henry the IVth. to renew the wax about the body, obtained leave of the dean, and on May 31, 1774, they opened the large sarcophagus in which it was deposited on the North side of Edward the Confessor's chapel, where, in a coffin of yellow stone, the royal body lay in good preservation (except under the chin) wrapped in two wrappers, one of them in gold tissue, strongly waxed and fresh; the outermost more decayed. The corpse was habited in a rich mantle of purple paned with white and adorned with ornaments of gilt metal, studded with red and blue stones and pearls. Two similar ornaments lay on his hands. The mantle was fastened on his right shoulder by a magnificent fibula of the same sort of metal, stones and pearls. His face had over it a silken covering so fine and closely fitted to it as to preserve the features entire, which was of a brown oaken colour; round his temples was a gilt coronet of fleurs de lis; in his hands, which were also entire, were two scepters of gilt metal, that in the right surmounted by a cross fleury; that in the left, by three clusters of oak leaves and a dove on a globe; this scepter was about five feet long. The feet were enveloped in the mantle and other coverings but sound, and the toes distinct. The whole length of the corpse was five feet two inches.

timents should prevail in the Commissioners breasts; sacrificing reason and the dictates of humanity to the mercenary view of enriching the treasury by impoverishing the subject; Quick's reply is applicable (when acting the Judge in the new piece of Robin Hood) to a criminal who desired him to hear reason, retorted, I do not sit here to hear reason, but execute the law. But no such fangled law exists, which would even undermine the power of the tax, if it was designed to raise money, by hindering the promulgation of any medicine, however salutary, and reduce the venders and inventors of medicine, already cramped with heavy taxes, to the situation of a poor insect caught to please a child, that had its wings plucked off to prevent its flying away; but complaint being made it crept too fast for the child to overtake it, had its legs cut off, the only forlorn hope left the fly to seek its sustenance. Now as much mercy would be exercised in chopping the fly's head off; so if these drugs or medicines, or the venders of them alluded to, are, on parliamentary enquiry, found pernicious to the community, stifle them at once, but do not invest the scourge of imaginary power in any set of men to act in a manner which honour, for the credit of the nation, will not allow of even to a King, however mild, however beloved by his subjects.

That the number of various perfumed medicinal articles are numerous, and were a tax laid on each one sold only of one penny, it would bring in much money is not denied. The same reasoning for taxing other necessary or voluptuous articles used in life, whether the partaking of the play-house, Ranelagh, &c. or on the purchase of a hat, a pair of stockings, shoes, and other raiment, would encrease the amount to a stupendous sum; but

but fond as any minister may be of inflicting the striped stamp on the people inhabiting Great-Britain, time will prove the situation of this country similar to a valuable piece of silver plate, whose beauty of workmanship is destroyed, and the value thereof diminished by each brushing the servant gives to revive its lustre.

The public in this instance, I presume, have a right to refuse paying for a stamp, until they have scrutinized into the act, and know on what ground it is demanded; and should any bookseller or renter of a medicinal shop of three years standing at the Royal Exchange in London, which the act never encompassed them to use the stamps unless they had been guilty of the crime of vending a patent medicine, I say, if they chuse to deck their drugs and medicines only with the red cross when the act does not require it, let the afflicted, who stand in need of these applications, step over the way to Messrs. Wrays, Birch-in-Lane, or other chymists and druggists, where no duty is required.

As a strong proof that the medicine act is a desultory one at best, and does not give the Commissioners that power to enforce the act in the manner it is, read one of their own advertisements, and in which, though they give an abstract of the act, leave out the exception relative to the sea or navy surgeons.*

For

* NEWCASTLE CHRONICLE, August 23, 1783.

Stamp-Office, Newcastle upon Tyne, August 8, 1783.

NOTICE is hereby given to dealers in medicines in the county of Northumberland, town and county of Newcastle upon Tyne, and borough of Berwick upon Tweed, that an act hath passed in the last session of parliament, imposing a duty upon medicines, usually denominated quack medicines, of which the following extracts are given for the information of those who deal in that article. [Here follows an abstract of the act

In our comments of the Commissioners address by their agent to the public, we may observe, the language held forth to the faculty and other vendors of medicines, is in doubtful strained expressions, as, *It is to be understood from the act, &c. &c. That an act hath passed in the last session of parliament, imposing a duty upon medicines, usually denominated quack medicines.* No such expression in the act; therefore it would be equally necessary to know of the commissioners what is meant by a quack medicine, and who are the persons that vend quack medicines; in other words, cheating, delusive, destructive medicines.* The act is silent relative

act, and then the advertisement goes on.] It is to be understood from the act, that all booksellers, stationers, shopkeepers, and others, required to be licenced, who mean to continue to sell any *medicines whatsoever*, whether called patent or not, are chargeable with the duties according to the value of them; and also, that regular surgeons, apothecaries, and persons who have kept shop for three years before the passing the act for selling drugs and medicines only (such drugs and medicines not being patent drugs and medicines) though they are exempt from taking out licences, must nevertheless stamp all the patent medicines they sell, or leave off dealing in that article, &c. Signed,

THOMAS DAVIDSON, Collector.

* The word quack seems to be generally mentioned as a mark of contempt, and applied to several persons who may be suspected of deceit, in their pretensions for remarkable skill, or superior honesty, over their neighbours; and we may perceive in this instance, the commissioner's agents' advertisement, exhibits to public notice, in a similar manner; what is the meaning of a quack's advertisement—no more than that they would have the public understand they have, in their possession, a *nostrum* necessary to be applied or taken for their good; by which means money, that little spring, the primum mobile of worldly enjoyments, may be obtained. Now here the commissioners have a *nostrum* too, called a Medicine Act; I say a *nostrum* is a term applicable, and they have a right to claim it as theirs in the present instance, although they are not benefited by it, because the medicine act, as it is enforced

relative to those matters, and draws no inference, makes none of these exceptions. Patent medicines are particularly mentioned throughout the act; and such is the strictness of the act, that any book-feller, perfumer, &c. newly set up, or even a person not regularly bred, or who has not been three years in that line before the passing of the act, should he set up as an apothecary, he must, by this act of parliament as it now stands, take out a licence,

chiefly by their authority alone, for I am persuaded no King, Lords, or Commons will be found to justify or approve of such discretionary powers, to abate or inflict on any person more punishment than a British act of parliament expresses; if they do, let me be thought a worm, and with the foot of power crushed to death; for I think but poorly of any man, who arose to defend the cause of the distressed individuals, and not even resign himself to martyrdom, rather than give up the opinion he conceives to be just. The commissioners hold up to the public the medicine act, or their charm or nostrum, or whatever you please to call it, and advertise, *It is to be understood*—What is to be *understood*?—Why, it is necessary for you and you to place a stamp on all the several medicinal articles you vend, if it is only a bottle of Bristol, Bath, or Spa water, by which means we shall enrich government. Can any quack, or other imaginary being whom fancy creates, express his meaning in more vague artful terms, to answer his ends, than this very advertisement dictates?—*it is to be understood*—From this unison in sentiment of power and necessity, relative to the address to the public, for their compliance in bringing the desired omnium of their affections as a tribute due to merit or to law. We find the word quack has been always misunderstood; it is not a sound that implies shame; it is no more than a familiar phrase to express a natural desire of obtaining money, under certain different lawful modes, which is as essential for the preservation of national dignity, or private life, as blood is to the body; and had not gain been the object of the medicine act, rather than the reformation of supposed nuisances, or the protection of health, we should not have witnessed this Proteus act, which outstrips the alchymist, whose ambition extends no further than the transmutation of base metals to gold, but here gold is to be produced by a transmutation of words.

a licence, and then he could not sell a medicine, even by a physician's prescription, without a stamp; and if he does not take out a licence, then he is liable to be prosecuted for selling any medicine without a licence. As to such a doctrine of excusing the licence, and only exacting the duty; the act knows it not; the terms of the act required are expressive and decisive. If the framer of the act has in words deviated from his intention or meaning, we cannot allow him now to put in his plea, and say to the public, *it is to be understood so and so*. We put a negative on such proceedings, and are justifiable in refusing to acknowledge any other law than what our national constitution requires; and if lenity is held out to one person, another claims the same privilege, in the same predicament. Such alterations and constructions of an act of parliament was never experienced in so short a time, as to alter the very features of the act, that it can no longer be said to be the act of the legislature; but the commissioners' act, supported by an avaricious principle, to fill the coffers of government, insensible to the pleadings of justice or humanity; as if the same agent who drew up the act was disappointed in his extensive grasp; by which such riches were to flow into the treasury, and as no words in the act are to be found to force compliance, imagination is on the rack of invention; by adding, *it is to be understood*; and for what end, to encompass that noble work of adding distress to a wretched being; perhaps labouring under the bite of a mad dog, by exacting a shilling duty before he can obtain the only remedy at present known to be held out as possessing a virtue in some degree to combat so horrid a calamity. Not Mackbeth's character and irregular conduct was more strange or altered, in

point of ferocity, or in his ambitious view to encompass his desire of a diadem, after he had seen the witches,* than this medicine act of parliament has changed its friendly purpose, by various misconceptions and interpretations, to oppress mankind rather than relieve.

When I was last at the Stamp Office, to get Mr. Wheeler's stamps, a young gentleman in the office held up a small bundle, and with a smile declared there was fifty pounds worth of stamps.—Let the commissioners obtain a treasure, ten times a larger sum than was stated at the opening of the budget, viz. £.15000, then go and carry it to court, and in triumph tell his Majesty how it was obtained; scatter it before him;—will he listen to them with complacency, to hear this three-pence laid on a six-penny medicine, was torn from a person whose garments on his back they would disdain

* Macbeth is a play worked up in so extraordinary a manner, relative to the witches corrupting Macbeth's principles, in foretelling he should be a king, that it is no wonder it is so much admired.—Mrs. Montague, that eminent lady in literature, who has commented on this play, Professor Richardson, of Glasgow, and Johnson's Edition of Shakespear, with several other authors I have consulted, they have not, to my knowledge, noted a similar piece of writing of great antiquity, from which it is no presumption to suppose Shakespear drew his portrait, viz. the history of Hazael going to Elisha the prophet to enquire whether the sickness his master laboured under would prove fatal? the answer was, he might recover—but he would die;—also foretold him he should be a king.—On which he goes home, murders his master, and reigns in his stead. 2 Kings, c. viii. And may we not also suppose the story of Saul and the Witch of Endor raising Samuel's apparition; also gave Shakespear a hint for raising up the witches in the scene where Macbeth views Banquo's progeny.—Dr. Blair, and Mr. Farquar, both eminent divines, who have discoursed largely on the subject of Hazael, are silent relative to Macbeth in their observations; nor do I know any critic who has drawn a parallel line of the two characters.

disdain to have touched?—Or, that the mother's boy was in a fever, and she pawned her wedding ring before she could purchase the medicine, on account of the six-penny stamp, to save if possible her child from death.—And from another—imagine the rest.—I will not harass up paternal feelings. Had the young gentleman been acquainted with distress by illness as I am, he would have shed the tear of pity at the thought of those, whose necessitous melancholy situation had doomed them the objects of such a lash, for, on them the tax is laid.

What would have been his late majesty's royal sentiments should any person have suggested to him, proud as he had reason to be, to reign over such a people, such a kingdom as he then possessed, would, a few years hence, witness a tax drawn from the sick and diseased objects?—Britain, if thy fate demands fresh taxes, let not thy honour be sported with; believe me, you who glance at the page, if you should censure my querulous complaint as painful to the tender frame, it is but the echo of a shriek when distress enters a family in the shape of disease—terrible in appearance, often dreadful in its consequence.

It has been hinted to me, that by publishing these remarks, however justifiable the cause, the revenue may be injured by persons, such as non-regulars, booksellers, perfumers, and other traders, who have kept a shop for three years before the passing of the act, and with other articles in their line of business, have vended drugs or medicines only, not being drugs by the King's patent, following my advice in ceasing to sell their medicines without stamps any longer than the act does require: What arguments will some men produce! As if the state of this country was reduced so low, that
the

the only means left to recruit it's finances were by unjustifiable means, contrary to the usage and the law of the land; — and if oppression, allowing it to be through a misconception of the act, pass uncensured in one instance; it may increase till custom confirms law. The commissioners are only empowered to receive the duty laid on certain medicines, and direct where the stamp is to be placed, by this act; but transfers no power of extension, limitation, or exception.

It is my desire in this arduous undertaking, relative to a reformation of the act, to reason from facts, and not to hint an iota to give offence to my Sovereign; nor do I wish to express any sentiment that may reflect on the honourable proposer of the act on patent medicines, and am extremely sorry to find his name not enrolled in the present parliament. From his well known good disposition he possesses, I should not fear to trust the cause in his hands, although in his first shot he has hit the lovely pidgeon instead of the carrion crow. For this medicine act, enforce it as the words direct, and it militates against the gentlemen of the faculty in a stronger manner than against others, supposed to be the intended objects in the first onset; for where is there one of the desultory practitioners, mowers of diseases, in London, who advertises, and gives hand-bills at every corner of the street, that is affected by this act? nay, have they not been known in their advertisements to laugh at the minister, and express that the act made against quacks does not affect them? — Therefore if Lord Cavendish was so unlucky as to wound the bird he did not mean to hurt; if the commissioners, in pity to the sufferings of the faculty, mitigated the act; a right, (if that right is denied to my King) I will dispute with them. Was it justice, or consistent

to reason, to mark and seize on other worthy characters, on mere supposition, it is to be understood you are the objects government meant to tax; and say, of you, Sir, the act requires this thing; of another, that performance; and compounds with a third, as discretionary judgment dictates.— And when a person goes to the Stamp Office, for information to guide himself, is informed, Sir, if you have any questions to ask relative to the medicine act, you are to put it down in writing, and our Solicitor will answer it. — Fie on it! — You who have given,—if you have given, such powers, to harass your own subjects, whom you ought to cherish, by holding up an act of parliament over their heads fluttering, which, like the ravenous kite pounce on their prey, to-day a lark, to-morrow a partridge, and the next day new game is started; for by this mode of going on, there is not a single article will be found in a perfumer's shop, but what such law would encompass; whilst we observe a little cephalic snuff, so called to distinguish it from other snuffs, in Six-penny bottles three-pence duty exacted; by whom? not by the act of parliament; and yet justly inflicted to scourge a proprietor's folly, if he is that person who harbours so bad an opinion of the legislature, to allow such proceedings, and, contrary to his own reason and judgment, pays a duty which he cannot find expressed in the act, and believes no act of the legislature requires, or will justify.

Knowing on what constitutional principles I act, and having experienced the injuries in my property, which falls far short of what others witnessed by these over-zealous proceedings, shall we not in decent terms complain? Let the Commissioners say, whether they ever knew such extensive powers or constructions granted by parliament to any person

person in the land; and if their own property was invaded by such arguments as imagination might suggest, to wrench an act of parliament for so mortifying a circumstance, as to demand your hat to-day, to-morrow your shoes, the next day your coat, and, like Virgil's harpies, as Wharton translates:

“ With loathsome claws they snatch the food away,

“ Scream o'er our heads, and poison all the prey.”

Would not each of you declaim against such an act of parliament in pathetic sounds, more moving than either a *Wells*,* a *Siddons*, or a *Crawford*, were able to express in their tragic scene of woe. And is not this a just representation of the bookfellers mutilated state; their neighbours vend ninety medicinal articles free of duty out of a hundred, which not only deprive them of selling those species of medicine as usual to their friends, but leaves a canker-worm in their breast, when reflection places their situation in a comparative view.

Let these gentlemen, and their superiors in power, view what opposition has been made to the Receipt Tax, and now again a petition from the City of London is to be presented to the Legislature for an abolition. Take heed, ye citizens, the minister does not refuse your petition, repeal the present two-penny act, and make a new one of three-pence. This present receipt tax is not a thousandth part so inimical to the welfare of the inhabitants, or so partial or so oppressive as the medicine act; which almost demands a tax from articles, at certain times, as important as the bread
you

* Mrs. *Wells* played Isabella for her benefit at Drury Lane; her playing is in a stile between Mrs. *Crawford* and Mrs. *Siddons*, pertaining of the manners of both; her person is pleasing, her voice is harmonious, but not so finely deep toned as Mrs. *Crawford*'s. She is allowed in general to come short of Mrs. *Siddons*'s acting, but in some passages excels her.

you eat, whilst any person in an ague must pay the duty, if he wishes to have the remedy, even under the king's patent; and who cares for a few individuals? But are you not concerned for a king's honour, the dignity of the nation? Look at this picture, which calls for the sting of a scorpion to penetrate the inventor's breast, who first drew the design—a lamb in close compact with a toad, linked by solemn league to promote each other's interest; here is seen justice railing against prostitution, yet joining hands to share its wages. Here, dreadful! find a softer term if you like, it is the truth, behold honour is forced from the throne of majesty to embrace the essence of supposed vileness; or, as the poet expresses, "*a god kissing carrion.*" Quacks, thus corporated, need no more the art of gilding their nauseous wares; no, a mantle is wove at the king's house, and the toad is divested of its deformity by the fleece of the lamb; say, will such a representation be an ornament to any country, because the prospective glass by which it is viewed is mounted with gold.—One session has passed over, and the expected relief has not been heard of; and so may the present session, if justice did not demand their timely consideration.

The receipt tax is grounded on necessity, indiscriminately laid on all, and he that pays most money is the best off. A consideration is held forth in the exemption of small sums under forty shillings; but in the medicine act, 3d. is required of 6d. or 3d. out of 3d. only, if a medicine was sold for that low sum. The receipt act is fairly drawn, and clearly understood what it doth exact; but I challenge any of the Judges or able Counsellors of the Law to prove the equity, the necessity, or the perspicuity of the medicine act, as it is enforced at present on a few individuals. In the receipt tax, modes have been thought of to evade the tax. In this tract I am no advocate for evasion: No, a

ling; and if any person has paid the tax through fear or threats, which the act does not justify, then such sum or sums of money has been extorted from the public by specious pretences, and, if possible, should be returned.

If the necessities of the state require additional taxes, humanity, and the honour of the nation, will plead for medicine to go free on account of it's utility, and the distressed situation of those who pay it; secondly, by reason of the heavy taxes paid through the different stages it passes; * thirdly, because other taxes may be produced in lieu, less burdensome to the subject, equal in respect to magnitude, and gathered with less expence and trouble. Two such imposts I could name; but let it not be understood I mean to throw a weight on another's shoulder, to ease my own, without bearing an equal share in it's consequences.

For the justness of my observations, and in vindication of the injuries experienced by a set of respectable and loyal men, well wishers and supporters of government, and for the hopes speedy relief may be obtained for those whose misfortune it is to labour under sickness — I leave the medicine act at the foot of the throne, and appeal with all due deference and respectful submission to his most gracious Majesty, and to both Houses of Parliament.

* It is no uncommon circumstance for a proprietor of medicine, as myself, to pay 5 or 600*l.* per annum for advertising; a stranger will start at the idea—stop a moment—in Great Britain there are about 90 different news-papers; now, supposing a small pamphlet is only advertised twice in each news-paper, this pamphlet pays, king's duty, half a crown on each advertisement, comes to 22*l.* 10*s.* By the same rule, in 600*l.* paid in a year for advertisements, at least 200*l.* of it goes to the king. Also when an additional tax was laid on glass, the price of bottles was raised in proportion from 15*s.* a gross to 1*l.* 4*s.*—A question might be suggested, How came the printers in the country to be the general venders of medicines, in preference to the druggists, &c.? Because, in conveying their news-papers to the purchasers, they have an opportunity of sending medicinal articles at the same time.

P O S T S C R I P T.

*On the EFFECT of ADVERTISED
MEDICINES.*

BEFORE any person embarks his name in the news-paper, as a discoverer of a salutary improvement in the preservative or embellishing articles, censure seems to be a conditional tax, however ill founded, he must submit to; whatever be his real principles it matters not a jot, he advertises, that is sufficient; and the gentleman who plays at cards for much money, however scrupulously fair, may as well hope to escape calumny, as him that advertises a medicine; and yet, I assert, in this bewitching amusement of gaming, there is more honour and justice to be met with than in other walks of life, where persons, under the mask of fair dealing, commit many shameful depredations unnoticed by the unsuspecting traveller; therefore, whilst general prejudiced clamor reigns, no regular debate can take place, permit us to lay before you our sentiments printed on paper, that when passion subsides Charity may be introduced, who hopes that few persons, for the sake of a little lucre, would sacrifice their good name, by indiscriminately preparing or vending medicines if they imagined they were of a pernicious nature, destructive to the welfare of society: nor do I entertain a doubt, that whenever either party, whether the preparer or the vendor of the medicine, is called on to give evidence relative to their effects on the human body, substantial evidence will be produced sufficient to

expunge any malicious aspersions Rumour lays to their charge. As an encouragement to others in the medical line, let a medicine which in a particular manner I am connected with, be our present consideration. When facts are stated, the public will discriminate. For this purpose, several attestations of cures performed by my medicine are reprinted, with their several dates and names of respectable personages annexed, as they appeared in the different news-papers throughout Great Britain, at a period of time when opportunity afforded the inquisitive agent, whether from curiosity or necessity, to inspect minutely into the report of cures so very extraordinary and almost past belief. In whatever light the descriptions of these cases may appear to the reflecting mind, they are the just delineations of a grateful heart, conscious of emerging from disease to health; and to doubt the veracity of the cures, you impeach the respectable witnesses who have subscribed their names in testimony of the truth.

Greater cures in this confined medical line of profession as I am situated, no person I either know or heard of, ever produced to the inspection of public scrutiny so minutely attested. These, and many more, have been performed by the administration of my Antiscorbutic Drops, in the disorders denominated Scurvy, Leprosy, Gout, Rheumatism, Childrens Eruptions, Nervous Complaints, &c.

Thus encouraged, is there not reason to conclude, a Specific is brought to light to mitigate those evils: But in all my advertisements, have I declared my medicine was an infallible one; or, in other words, cure every afflicted one. The page in my Treatise on the Scurvy and Gout would retort severely on me wherein I own, I experience the mortification

tification of not succeeding agreeable to the wish humanity dictates, or the necessities of my patients require. Truth, solemn truth, inscribes, such are the combined extensive powers of these disorders, concentrated in terms of Scurvy, Leprosy, Evil, appearing in so horrid a form that fascinates the beholder: Imagination may conceive, but cannot express by words, the melancholy dreadful situation of those distempered beings, who harbour diseases continually preying on the vitals of life, rendering the poor remains of human form a living tenement, the sepulchre of stench and rottenness; whose strength is so exhausted that they scarce have power left to knock at a door whereon a friendly invitation is engraved,* which bids them hope.

Dare

* *Mr. SPILSBURY's Dispensary, instituted 1773, for the poor afflicted with the Scurvy, &c.*

Although the exact form was published a few years ago, with copies of the tickets worked off from copper-plates, and copies of the forms from the printed register books, and of the certificates, there are many persons who now may wish to know the particulars of the plan; which we will describe. A person who pleads circumstances, as a large family, &c. or being only a servant, is informed, he may receive the indulgence, paying only one shilling a bottle instead of four shillings, the present price of a small bottle of the Drops, which generally serves a week in the administration. If he objects to this, as being too much, he is told to get a certificate, either signed by the churchwarden, minister, or two housekeepers, recommending him; he is then admitted, paying one shilling for six weeks: after that time, should he find it necessary for a continuance, he pays one shilling a month. There are many objects who are admitted gratis.—No subscription has ever been asked, to assist in the relief of those unhappy objects. The number benefited to the present time, are 7027. The bottles, &c. have been included in the above expence.—From the desire of doing the poor a real service, they are dispatched in a quarter of an hour; a circumstance greatly in their favour, as they are often kept at hospitals and other dispensaries, for several hours, which is often the occasion

Dare any person, thus situated, trifle with his fellow creatures, and sport with the infirmities of human nature, who is daily awed by them? If it is done; say, would you, or you, bear witness to such transaction? Nor has envy or malice challenged a misrepresentation of my cures, but urge the well known hacknied plea of making use of antimony and mercury, in the preparation of the drops, which may hurt the constitution, and endanger the life of the patient. This is a wonderful discovery, that excess in certain ingredients, whether administered as medicinal or dietical, are pernicious.

So far from being ashamed of the charge of encompassing the powers of these minerals, it is my pride to acknowledge it in my Treatise on the Scurvy, and in my folio bill it is hinted; and could I make a further progress in the cure of those ills we are treating of, by a safe preparation of arsenic, hemlock, or any other poisonous ingredients, could be sought and selected, either from within the bowels of the earth, or on the surface, I would chearfully embrace their friendly principles, as charms to drive away those brooding ills which harrafs mankind.

Talk

casion of the loss of a day's work.—We will beg leave to add, although the number has been sometimes greater than we could conveniently dispense with, yet we cannot charge ourselves with refusing any single person the desired relief, if they came in the morning of the day which is the time of admission. Add to this, applications from respectable persons in the country have always been attended to, which form an additional number of patients. What further benefit might accrue from a general subscription, to enable the proprietor the better to discharge his trust on a more extensive scale, and to enforce other experiments which the revolving mind suggests, is left to the public consideration to determine. It is a circumstance, however necessary, we are not anxious to solicit.—If these assertions have been falsified, you that have experienced this treatment proclaim it abroad.

Talk of the fear of death to those who bloom in health. Here the afflicted have nothing left to dread, scarce that pretty flatterer, even Hope, can be prevailed to accompany them any longer, when such is their situation obliged to resign the sweets of society, and become voluntary exiles, a prey to misery and grief.

To answer the insinuation of designing persons, who on such masked stilts would recommend themselves to public notice, let them remember, in my professional line, every patient who may be dissatisfied, need not be ashamed to complain. The case is not so in complaints where certain remedies are held forth, there, let the patient experience any mortification or disappointment—modesty and discretion proclaim silence.

But, once more—Should any person be so happy to encompass the desired end of subduing these hydra monsters, as Scurvy, Leprosy, Evil, whose power branches out in several named districts, yet one virulent power acts and feeds the rest. I say, should any one be enabled to find an antidote in the more safer walk of medicine, whether amidst the roots, or herbs, or barks, I honour him; I care not who is the inventor, it is a blessing productive of so much happiness to all around, that not to wish it, even at the sacrifice of my own medicine, I must be insensible to the feelings of human nature.

If, upon an exact scrutiny relative to my cures, as stated in the scroll, it shall be found truth is on my side; say, shall such a medicine wear the heretical cross,* merely because its peregrination to the afflicted

* In a catholic country when the priest enters the chamber, he holds up a cross or crucifix to the sick person as a favourable omen, who may, by faith, as on Jacob's ladder, mount his thoughts

afflicted in some remote part of the kingdom, it should pass through a bookseller's hand, when it
is

thoughts from earth to heaven, from anxiety to the hope of felicity; as this is not the cross the commissioners have adopted, and theirs is of so different a complexion and intention, the word heretical is added to distinguish them in the reader's idea, and I thought it a better expression than jesuitical. For whatever high opinion the world has formed of the ingenuity and powers of a quack, they are here eclipsed in their utmost stretch of invention by the commissioners. It has been, in all ages, a desideratum to discover a medicine for the mind, but not one of the levellers, in all their pop-gun advertisements, ever asserted they had discovered a sentimental medicine, endowed with powers to operate on the mind—Here it is in the shape of a red cross, equally pointed East, West, North, and South; when the sick views the medicine in this solemn array, Thought retrogrades; for instance, a young person before he breaks the seal, the cross arrests his attention, and brings before his imagination the cause of his illness, and what further penalty he is likely to undergo; here is much profitable discourse in a silent figurative piece of paper. Take physic pomp—here it is, this trifling cross, this little symbol of adverse purposes, shall read a lecture suitable to any age or station in life; and when the mind is seasoned with wholesome reflection, pass into the inner court, and there is something for the body; happy thought! Thus here is physic for the mind, and medicine for the body, united in one packet at a trifling advance. Ingenuity was never stretched to a more happy effect than when it contrived a medicine on so extensive a scale; this, in after ages, will be mentioned by the philosophers of the age; this conjunction of powers, and the Georgianian Star, were both discovered about the same time.—When the medicine act passed, it was a natural consequence to wish something emblematical might be designed for the stamp, to commemorate so extraordinary a union as the interest of government and quacks consolidated in one. Several designs were thought of and proposed, no doubt; we will indulge the supposition, that there was no precedent in the case, this was to stamp medicine;—now, in my mind, I should have hinted the serpent, from the Mosaic history, on which whoever looked that were ill were instantly cured; a very proper device, but unfortunately the idea conveyed a poisonous intent, and quack medicines are notorious and remarkable for dealing in viparious ingredients, and this would hinder the sale of stamps and medicines. It was
hinted

is free in the proprietor's hand, and free in other chemists and druggists, whilst in their charge?

I scruple

hinted again, it might be construed the design was taken from the Cavendish family, who introduced the bill, and whose crest is a wreathed viper or snake, and it was never supposed they belonged, or wished to be united, to the family of Quacks; who were like so many *ignis fatuus*, here, there, no-where to be found, and like glow-worms in the dark, made a dazzling appearance; search for them by day, not one to be found, consequently this devise would not do. And although it might be said the act was founded something on the supposed Jewish corrupted principles, yet Moses, their great law giver, inculcated humanity in every precept he dictated; and therefore, as we failed in getting a Jewish symbol, why, as it was a Christian act, and the misfortunes of the country were founded on crosses, this gave hint for a cross, and cross proceedings, throughout the whole, have justified that the stamp should be in form of a ✝ ; and when I consider the advantages of taking in government, or the commissioners, as partners in the profit of quack medicines, who now say quack on, so we have a moiety of the profit, I am more reconciled to the mode; because, if any medicine, or as the commissioner's agent dubs them quack medicines, is alledged to do harm, the quacks will always have a subterfuge, as proving the commissioners medicine, the red cross, was first administered, and that created certain perturbations in the mind of the patient, so that the bodily medicine had not fair play; ergo, they are not in fault, and therefore stamp on; for though powder of post is packed up now, it will always have a good appearance, and the quacks may hope, if the act should be taken up again and signed by his majesty; why, in that case, should he deign to come among this royalized society of quacks, his majesty will find these fairy beings sociable and loyal ones, something like the Lord Mayor in Charles the Second's time, as the Spectator relates, when the King going to depart, the Lord Mayor swore he should have the other bottle; the King, ever a lover of society and wit, when divested of personality, very obligingly turned back. Therefore, as all decrees should run in the usual form, as the story goes of Lord Chesterfield and the late King, who was desirous of putting some person in a good place, but was opposed by his ministry, the King, on being asked the second time whom they should set down, replied hastily, the devil if you will; on which Lord Chesterfield desired to know of his Majesty if the writ should run in the usual terms, *Dear*

I scruple not to declare I am not for having such distinctions made, between a medicine wrapped in the dispensatory fold, and that one discovered by accident, or through difficult researches, any more than a friendly plant, discovered in the field, should be despised because none of the same species has been ever known transplanted into a garden.

Physic, whether practiced on the regular or irregular scale, has its advantages and inconveniences attending the professors and their medicines, which has remained at variance ever since gold was held up as a reward to him who was the most diligent in his sphere, and is likely to continue so.—We may as well suppose the church of England and of Rome would each embrace and resign their tenets to each other, than draw any other conclusion. Each of their votaries conceive theirs is best, and despise the other; each have ready substantial arguments for support of their religion; each are allowed to be good by the unbiassed person, and it is proper each party should remain unmolested, unless good proof is brought such limitations are hurtful to the community.

loved cousin?—So now I presume I may put a question to the commissioners, as our brotherly connexion seems to be woved by the cord of interest, whether there may not be a danger of losing some of our patients, by their undergoing a mental and corporeal castigation at the same time? and therefore on the red stamp it would be prudent to give this line of advice:—
N. B. *If the patient seems to be too much alarmed at the sight of the red cross, let him postpone the taking of the bodily medicine for six hours, or till nature recovers.*

COPIES of ADVERTISEMENTS as appeared in the several LONDON NEWS-PAPERS.

From the English Chronicle, Aug. 21, 1783:

*A general Answer to Country Correspondents, Venders, &c.
relative to the Medicine Act, by their humble Servant,*

Soho Square, London,
Aug. 20, 1783.

F. SPILSBURY.

Gentlemen,

IN London we have no other guide to go by than the Act of Parliament, which by reading the second page, you will find it thus:—All apothecaries, druggists, regularly bred, or venders of medicines, &c. who for the space of three years have kept a shop, and in that time have not sold a patent medicine (of which there are about four or five not expired) are excused the licence, consequently the stamps; therefore the proprietors of medicines in London take out no licence nor stamps on their own account, unless they have been concerned in vending of a patent medicine. The like indulgence is granted by the act to country apothecaries, chemists, and other venders of medicines, who have kept a shop for selling medicines and drugs only, not being patent medicines. Therefore all printers and booksellers who have acted agreeable to the act of parliament, and have not sold a patent medicine, are excused the licence and stamps, otherwise to what purport would you, as some justly observe, take out a licence, and get stamps, when your next door neighbour stands excused, and can sell these medicines, not being patent ones, without the additional duty, as there are a few persons who come under the act, and must have a licence, consequently stamps. The proprietors of medicines in general feel for their situation, and the distress of patients, therefore intend to lower a half crown medicine to them a penny, which then only requires a three-penny stamp instead of a six-penny one. Relative to my medicine I have so ordered a bottle, that those persons who are obliged to sell with a six-penny stamp, the consumer shall not be loser, he having a proportionate quantity for 5s. as him who pays only 4s. a bottle. As to our procuring a licence for country venders, we are informed you must apply to the officer in your respective county, appointed by the commis-

sioners, who will also furnish you with stamps; if you are so situated as to have sold a patent medicine, or not kept a shop three years.

I wish persons in the medical line, and others, would read the printed act, and not go by general report, the cause of all the confusion, trouble, expence, and delay of business.

From the Morning Post, Aug. 27, 1783.

To Apothecaries, Venders of Medicines, &c. &c.

Gentlemen,

RELATIVE to your enquiries whether you are obliged, by the Medicine Act, to take out a licence, and sell no medicines but with a stamp, it depends on your answer to this question, viz. Have you sold a patent medicine, (of which there are about four unexpired) if so, then the act informs you, you must have a licence, even if you are regular bred to physic, and then cannot sell a dose of salts, &c. without a stamp, or incurring a penalty. Again, persons, booksellers, perfumers, &c. who have kept a shop, and sold medicines only, not patent ones, for three years past, they are entitled, by the act to vend quack medicines, and all others, (patent ones excepted) without licence or stamps; so that here in London some will continue as usual to sell without a licence, &c. whilst others, being connected with patent ones, must have a licence.—The same in the country; so that one shop may take out stamps, whilst his next door neighbour runs away with all the business, in using no stamps, owing to the first having accidentally sold a patent medicine. I agree with you it is oppressive, and with you will join in opinion Government never meant so partial, or rather an *ex post facto* act. You will read the act, page 2d, and not go by general report, and then judge, and let the different proprietors of medicine know of your situation, and they will pack up your orders accordingly, with or without stamps.

I am, Gentlemen,

Your most obedient servant,

F. SPILSBURY, Chemist.

Soho Square, London,

Aug. 21, 1783.

From

From the Gazetteer, Aug. 25, 1783:

*To Venders of Medicine, who are concerned in the Medicine Act,
which commences Sept. 2, 1783.*

Gentlemen,

Aug. 22, 1783.

WHEN you send your orders for medicines to the different proprietors in London, please to mention whether the packets, &c. are to have stamps, or be without; for we cannot tell who are excused the licence, &c. Also observe on reading the act, you will find it more favourable to many booksellers, perfumers, &c. than general report has allowed. For all venders of medicines only, not being patent ones, and who have sold drugs or medicines for three years, are excused by the act; so that Daffy's Elixir, Scots Pills, Turlington's Balsam, Godfrey's Cordial, &c. &c. are exempt, if the proprietors or venders of these articles have not sold a patent medicine.

Again. A patent medicine, of which there may be four or five now in force, even an apothecary (or surgeon regularly bred, unless belonging to the army or navy) must not sell it without a licence and stamp; but they may sell all other nostrums, &c. as usual. Persons not regularly bred to physic, and have not kept a shop for three years as a vender of medicines, they must take out a licence, and have stamps. For those persons who come under the act, and must have stamps, I have provided a bottle on purpose, for my Antiscorbutic Drops, in proportion to the 4s. one, which will be sold without a stamp, as usual.

Soho Square, London.

F. SPILSBURY.

From the Morning Chronicle, Sept. 1, 1783.

M E D I C I N E A C T.

To Apothecaries, Chemists, and other Venders of Medicine.

Gentlemen,

TO-MORROW, Sept. 2, 1783, the Medicine Act commences, an act which has engrossed the attention of the public

to decide the lawful meaning of the legislature. Eminent Counsel have been consulted on the occasion. They disagreeing, application to the Attorney General became absolutely necessary, to clear up certain points relative to the wording of the act, which comprehends all apothecaries, wholesale druggists, &c. in town and country, who have dealt in patent medicines, to take out a licence, and then they cannot send out any medicinal drug or mixture without a stamp. The Attorney's answer is waited for with great anxiety in London, which may in some measure alleviate their fears of a general stop to trade. As for my opinion in this intricate business, it is but an opinion; and such a one as I do not wish any person to rely on; but consult the act, which is peculiar, and pointed against patent medicines only.

All nostrums, not being patent ones, are denominated by the act as drugs or medicines only, and the apothecary, &c. may continue to sell them without licence or stamp—so may other persons; but as the act admits of various readings, and as several booksellers and perfumers observe, the licence is not worth contending for, the duty does not fall on us, therefore we comply rather than be threatened with law suits; but our other objection is peculiarly hard:—Suppose we take out a licence, and have stamps; our next door neighbour may sell all his chief articles in the medicinal line without stamps, patent medicines excepted, who then will buy of us? Again, the proprietors in London of medicine are by the act in general excepted, unless the patent ones, and have no stamps. Why are the country people so hard borne on by an act of parliament, and no remedy pointed out? Gentlemen read the act passed, and judge every one, if there be not occasion for remarks, and for a public explanation by authority.

Your's, &c.

Soho Square, London,
Sept. 1, 1783.

F. SPILSBURY, Chemist.

From the Morning Post, Sept. 3, 1783.

M E D I C I N E A C T .

To Apothecaries, Druggists, and Venders of Medicine.

Gentlemen,

YESTERDAY, Sept. 2, 1783, the Medicine Act took place.—Although the words of the act leave a doubt on the mind

mind of many individuals, whether booksellers, perfumers, &c. selling medicines only, not being 'patent ones, are exempt from the licence and stamps. From a collective correspondence on this matter, it seems to be the general sense of the booksellers and perfumers in town and country to take out a licence, and for the following reasons:—The fine is small, a law-suit is neither pleasant or profitable, the additional duty on medicine, heavy as it is, is torn from distressed objects, and does not fall on them, but the unhappy consumer. For other partial hardships they suffer at present by the act, they do not doubt, but legislature will be better informed, and consider how far medicines, which now pay 40 per cent. to government, will bear this *extra* impost, and rectify accordingly. Relative to the opinion of the Attorney General, concerning the most interesting part of the act, on which eminent counsel of the law are divided, the faculty may expect to be acquainted with in a little time, as a person set off expresses to consult the Attorney General on Wednesday last. The point under consideration is, whether the faculty in general, who have vended patent medicines, are obliged to take out a licence agreeable to the expression of the act, and then they must not sell any drug or medicine without a stamp. Those persons who may labour under any doubt from reading the act, whether they are the objects of this Medicine Act, they had better suspend the licence, and the sale of medicines a few days, than run any risk of the law. When at leisure I propose drawing up my reasons for difference of opinion, with remarks on the act, for the consideration of the public.

Soho Square,

F. SPILSBURY, Chemist.

E R R A T A.

Page 21, line 16, *for law, read* clew:

Page 27, lines 19, 20, 21, *read* to center in one set of practitioners, exclusive to the rest of mankind, or leave it like the book of nature,

Page 30, last line, *dele* but you are exempt from the tax.

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1784

